

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
LITTLE ROCK DIVISION**

KENNETH RAY BENTON PITTS
ADC #85938

PLAINTIFF

V.

NO: 4:06CV00475 GTE

PAMELA JOHNSON *et al.*

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge H. David Young, and the objections filed. After carefully considering the objections and making a *de novo* review of the record in this case, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED THAT:

1. The motion for summary judgment filed by Carl Johnson (docket entry #83) is GRANTED.
2. The motion for summary judgment filed by Pamela Johnson and Speer (docket entry #86) is GRANTED.
3. Plaintiff's motion to amend (docket entry #89) is DENIED.
4. Plaintiff's complaint is DISMISSED WITH PREJUDICE.
5. The Court certifies that an *in forma pauperis* appeal taken from the order and judgment dismissing this action is considered frivolous and not in good faith.

DATED this 16th day of ~~March~~^{April}, 2007.


UNITED STATES DISTRICT JUDGE